

James P. Lamoureux  
Attorney

REC'D TN  
REGULATORY AUTH.  
'98 MAR 18 AM 11 27  
OFFICE OF THE  
EXECUTIVE SECRETARY



Room 4066  
1200 Peachtree St., N. E.  
Atlanta, GA 30309  
404 810-4196  
FAX: 404 810-8629

March 18, 1998

David Waddell  
Executive Secretary  
Tennessee Regulatory Authority  
460 James Robertson Parkway  
Nashville, Tennessee 37243

Re: In Re: BellSouth's Entry Into Long Distance Service in Tennessee  
Pursuant to Section 271 of the Telecommunications Act of 1996  
Docket No. 97-00309

Dear Mr. Waddell:

Enclosed for filing in the above-referenced proceeding is AT&T's response to the performance measurements submitted by BellSouth Telecommunications on March 13, 1998, pursuant to the TRA's March 6 order.

Copies have been provided to all parties of record.

Very truly yours,

A handwritten signature in cursive script that reads "Jim Lamoureux". To the right of the signature is a circular stamp containing the letters "CW".

Enclosure

cc: Parties of Record (w/enclosures)

**BEFORE THE  
TENNESSEE REGULATORY AUTHORITY  
Nashville, Tennessee**

In Re: BellSouth Telecommunications, Inc.'s            )  
Entry into Long Distance (interLATA) Service in    )  
Tennessee Pursuant to Section 271 of the            )            Docket No. 97-00309  
Telecommunications Act of 1996                        )

**AT&T COMMUNICATIONS OF THE SOUTH CENTRAL STATES, INC.'S  
RESPONSE TO THE PROPOSED PERFORMANCE MEASUREMENTS OF BELL SOUTH  
TELECOMMUNICATIONS, INC.**

---

Pursuant to the Tennessee Regulatory Authority's March 6, 1998 Order, AT&T Communications of the South Central States, Inc. ("AT&T") hereby submits its response to the performance measurements submitted by BellSouth Telecommunications, Inc. ("BellSouth").

**I. Important Performance Measurements Are Not Included In the BellSouth Proposal.**

There are several key measurements that AT&T and the Local Competition Users Group (LCUG) propose, and that the Department of Justice and the FCC all support as integral to demonstrating non-discriminatory support that are not included in BellSouth's most recent proposal contained as Attachment I to its SGAT filed on February 3, 1998. These measurements include the Completion Notice Interval, the Mean Time to Deliver Usage, and the Usage

Accuracy. These measurements are important to the development of competition because customer billing will not be initiated by the CLEC until it receives an order completion notice and the accuracy of billing records affects the accuracy of the billing ultimately delivered to local service customers. Although it did not commit to do so, BellSouth apparently has the ability to provide the Mean Time to Deliver Usage. The necessary data to produce such a measure clearly is available and is an exhibit to the Revised Direct Testimony of Jerry W. Moore (Docket 97-00309, 2/6/98 Exhibit JWM-8). It is also difficult to understand BellSouth's failure to include the Completion Notice Interval. This measurement is feasible, and other ILECS have already agreed to this measurement. Southwestern Bell, Ameritech and BellAtlantic have already agreed or proposed to supply the measurement, thereby demonstrating the feasibility of such a measurement. Finally, the usage accuracy measurement is feasible. Southwestern Bell has agreed to provide a usage accuracy measurement to CLECs.

LCUG also proposes three other measurements that BellSouth does not provide despite their importance to monitoring the support BellSouth provides to CLECs. Those measurements include Call Abandonment Rates, % Jeopardies and the Jeopardy Interval. Call abandonment rate measurements are critical to measure the quality of service experience that customers are receiving. The mean time to answer calls in BellSouth's repair support center ranges from 40 – 77 seconds. (Exhibit JWM-14 of the revised testimony filed by Jerry Moore on February 6, 1998). The time to answer calls in the resale ordering centers ranges from 108 – 406 seconds (JWM-4). Given these slow response times, AT&T believes the call abandonment rate is likely to be unacceptably high. The "call abandonment rate" monitors the relative proportion of calls from CLECs that are terminated before transfer to ILEC support personnel. This measurement is important because it provides an indication whether call answer times are sufficiently prompt to support business needs.

The % Jeopardies and Jeopardy Intervals seek to monitor how frequently orders are placed in jeopardy and how much advance notice is provided to the CLECs so that the CLEC may manage the customer relationship. The competitive market impacts are severe if CLECs are given less time to contact their customers and/or have their orders jeopardized more frequently. BellSouth

touts the importance of the % jeopardies measurement (See BellSouth SGAT filed on February 3, 1998, Service Quality Measurements, Attachment I, Page 5, Measurement Overview) but does not provide the necessary measurement methodology to implement the measure.

The “jeopardy interval” is the average advance notice, provided when an order is placed in jeopardy, compared to the scheduled due date. The second jeopardy measurement, the “Percent Jeopardies,” monitors the proportion of orders jeopardized. CLECs must be afforded sufficient time to contact their customers and manage the customer relationship whenever the ILEC changes the previously committed aspects (e.g., due date) of an order. Likewise, the proportion of orders jeopardized should not be substantially different when the ILEC and CLECs results are compared.

## **II. BellSouth measurements do not adequately address the measurement of support and OSS access afforded to CLECs that elect to utilize UNEs as an entry strategy.**

The Act clearly requires that the ILEC, in this case BellSouth, must provide nondiscriminatory support to the CLEC regardless of the mode of market entry that the CLEC may pursue – resale, interconnection, or use of unbundled network elements. BellSouth’s proposal lists only a vague category of UNEs or UNE Specials. Such lack of clarity does not constitute an adequate plan for monitoring performance related to a key mode of market entry. Beyond the imprecision of the UNE category, there is no discussion of a standard for determining that the support delivered is either at parity with that BellSouth provides in analogous situations or with an absolute standard of performance. Absent comparison with the service BellSouth provides itself or comparison with an objective standard, it is not possible to determine whether BellSouth’s performance provides an efficient CLEC with a meaningful opportunity to compete.

## **III. The BellSouth Proposal Does Not Adequately Document the Measurements, Measurement Methodologies, or the Standards for Establishing that the Performance Delivered Complies with the Statutory Standards.**

A measurement plan that is capable of monitoring on-going delivery of nondiscriminatory support must include fully documented performance monitoring measurements. This means that the data elements required for computation must be defined and any necessary calculations must be set forth clearly. In addition, all conditions resulting in omission of any data from computation of the performance measure must be completely disclosed. Without such clarity, the administration of the measurement plans and resolution of disputes related to performance will be complex and interminable. Definitional issues and details significantly affect the meaning of data. The BellSouth proposal does not include enough definitional detail to allow for a full understanding of what the measurements will measure (see examples provided below). If an independent party cannot determine what is to be measured and how it is to be measured simply through examination of the performance measurement documentation, then the quality is inadequate and the performance measurement system may not be auditable.

For example, on page 3 of the BellSouth proposed Service Quality Measurements –Measurement Detail (Attachment I of the SGAT), BellSouth states that the “Data Retained Relating to CLEC Experience” and the “Data Retained Relating to ILEC Experience” should include “Query Type (per reporting dimension).” However, the reporting dimensions originally reflected within the LCUG document have been removed and BellSouth only specifies what it will not report. Other examples exist where the documentation of BellSouth is incomplete. On page 14 of the BellSouth proposed Service Quality Measurements –Measurement Detail (Attachment I of the SGAT), BellSouth states that the “measurement methodology” for the third installation measurement is “based on an audit of a statistically valid sample.” Nowhere, however, does BellSouth define this “statistically valid sample.” Again, these definitions are crucial to enable a full understanding of what BellSouth plans to measure, and the lack of detail provided in the BellSouth proposal contrasts with the completeness of the Local Competition Users Group SQM 6.1 document.

In another area, the reporting dimensions for “Mean Time to Deliver Invoices”( BellSouth proposed Service Quality Measurements –Measurement Detail (Attachment I of the SGAT)page 23) are listed as “To be determined”. As the FCC correctly noted in reviewing the Ameritech

271 application, promises of future performance are not sufficient evidence of compliance with the Act.

In LCUG's Service Quality Measurements Version 6.1 (SQM 6.1) document filed as an attachment by AT&T in its comments in this proceeding on March 13, 1998, the Local Competition Users Group provides more precise definitions than BellSouth provides in its proposal. Although BellSouth appears to have borrowed significantly from SQM Ver. 6.1, BellSouth left out, among other things, the important material (discussed above) and interjected conflict and ambiguity. In some cases it is unclear precisely what BellSouth plans to measure.

#### **IV. The BellSouth Proposal Does Not Include a Comparative Methodology.**

An adequate measurement plan for monitoring non-discrimination must also address the comparison between the ILEC results for itself (or the appropriate benchmark) and the performance results for CLECs. Such methodology should be based upon generally accepted and documented statistical tests of difference, like those proposed in the Local Competition Users Group paper, "Statistical Tests For Local Service Parity," which AT&T has already filed in this proceeding. BellSouth does not describe any methodology for comparing its performance for itself with its performance for CLECs. There is also, therefore, no discussion as to how parity is determined or what constitutes a non-parity situation. The LCUG documentation relating to statistical testing on the other hand directly addresses the issue of comparison methodology and provides the TRA with a workable approach to evaluating performance in a manner that will ensure parity. In its filings, BellSouth does not clearly state when a performance measurement for a CLEC will be compared to analogous results for BellSouth and when comparison will be made to a performance target (or benchmark when an analog does not exist). For example, for the Invoice Accuracy and Timeliness measurement (page 23), BellSouth proposes to retain data relating to only the CLEC experience. How will parity be established absent Bell South results in this same area? In another case, BellSouth does not propose to retain any data relating to ILEC or CLEC experiences (see the Average Answer Time - Repair Centers measurement on page 21). In another case (see, the System Availability page 2), there is a detailed discussion of

how the measurement is made for the CLEC, but no discussion of how the measurement will be made for BellSouth.

## **V. The BellSouth Proposal Does Not Address Audit Rights For CLECs.**

In order to ensure a competitive marketplace develops unhindered, BellSouth must permit audits of the data collecting, computing, and reporting processes. BellSouth must also allow an individual CLEC to audit or examine its own results. In the documentation that it has submitted, BellSouth has neither addressed nor acknowledged these necessary auditing rights for CLECs.

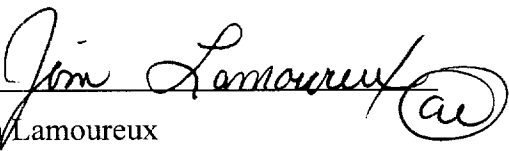
The discipline of auditing will help ensure that data is retained according to specific guidelines and structured to allow an interested and authorized party to verify independently that a CLEC is receiving nondiscriminatory access and support from BellSouth. Without such mechanisms, the CLECs, the Tennessee Regulatory Authority, and Tennessee consumers will be entirely dependent upon BellSouth for the production, accuracy, and conclusions related to performance measures crucial to assessing the development of competition in Tennessee.

## **VII. Conclusion**

BellSouth's proposal does not include performance measurements that are crucial to determining whether an efficient CLEC has been afforded a meaningful opportunity to compete. It is also missing vital performance measurement components such as complete measurement methodologies, standards for comparison, or audit processes. The items missing from BellSouth's proposal are all included in the LCUG proposal submitted by AT&T. Until these additions are incorporated and the performance measurements are in place, the TRA will not have the data necessary to determine whether BellSouth is providing the non-discriminatory access that is required by the Act.

Respectfully submitted,

**AT&T COMMUNICATIONS OF THE  
SOUTH CENTRAL STATES, INC.**



Jim Lamoureux

1200 Peachtree Street, N.E.

Atlanta, Georgia 30309

(404) 810-4196

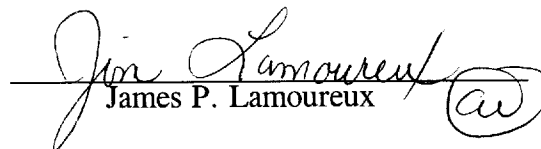
Attorney for AT&T Communications  
of the South Central States, Inc.

Dated: March 18, 1998



**CERTIFICATE OF SERVICE**

I, James P. Lamoureux, hereby certify that on this 18h day of March, 1998, a true and correct copy of the foregoing has been delivered via U. S. Mail, postage prepaid to the following counsel of record:

  
James P. Lamoureux

L. Vincent Williams, Esq.  
Office of the Consumer Advocate  
Cordell Hull Building, 2nd Floor  
426 Fifth Avenue North  
Nashville, Tennessee 37243-0500

Henry Walker, Esq.  
Attorney for American Communications Services, Inc.  
Boult, Cummings, Conners & Berry  
P. O. Box 198062  
Nashville, Tennessee 37219

Guy M. Hicks, Esq.  
Attorney for BellSouth  
333 Commerce Street, Suite 2101  
Nashville, Tennessee 37201-3300

Jon Hastings, Esq.  
Attorney for MCI  
Boult Cummings, Conners & Berry  
P. O. Box 198062  
Nashville, Tennessee 37219

Martha McMillan, Esq.  
Attorney for MCI  
780 Johnson Ferry Road, Suite 700  
Atlanta, Georgia 30342

Charles B. Welch, Jr., Esq.  
Attorney for Time Warner, Inc.  
Farris, Mathews, Gilman, Branen & Hellen  
511 Union Street, Suite 2400  
Nashville, TN 37219

Dana Shaffer, Esq.  
Attorney for NextLink  
105 Molloy Street, Suite 300  
Nashville, Tennessee 37201

Carolyn Tatum Roddy, Esq.  
Attorney for Sprint  
Sprint Communications Co., L.P.  
3100 Cumberland Circle - N0802  
Atlanta, Georgia 30339

H. Ladon Baltimore, Esq.  
Attorney for LCI International Telecom  
Farrar & Bates, L.L.P.  
211 Seventh Avenue North  
Suite 320  
Nashville, TN 37219-1823

Thomas E. Allen  
Vice President-Strategic Planning & Regulatory Policy  
InterMedia Communications  
3625 Queen Palm Drive  
Tampa, Florida 33619

Jonathan E. Canis, Esq.  
Enrico C. Soriano  
Kelley Drye & Warren, LLP  
1200 19th Street, N.W.  
Suite 500  
Washington, D.C. 20036

D. Billye Sanders, Esq.  
Waller, Lansden, Dortch & Davis PLLC  
511 Union Street, Suite 2100  
Nashville, Tennessee 37219-1760

Guilford Thornton, Esq.  
Stokes & Bartholomew  
424 Church Street  
Nashville, TN 37219